

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DIGITAL MEDIA SOLUTIONS, LLC,)	Case No. 1:19-cv-145
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
v.)	MAGISTRATE JUDGE
)	THOMAS M. PARKER
SOUTH UNIVERSITY OF OHIO, LLC, <i>et al.</i>)	
)	
Defendants.)	<u>ORDER</u>
)	

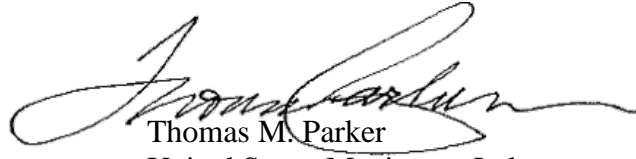
On April 9, 2019, the receiver filed an emergency motion for an order to show cause why intervening party, HGF, L.P. (“HGF”), should not be held in contempt for violating the parties’ consent order. ECF Doc. 241. The receiver contends that HGF is not “reasonably cooperating” with the receiver to remove personal property remaining at the surrendered leased premises. The receiver argues that HGF is trying to secure a better bargain for itself by requesting that the receiver’s agents sign an indemnification document before removing personal property from the premises.

HGF filed a response in opposition on April 11, 2019. ECF Doc. 251. HGF paints an entirely different picture of the interactions between HGF, the receiver, and the receiver’s agents. HGF submits correspondence showing its efforts to cooperate with the receiver and argues that the receiver did not enter into a good faith effort to “reasonably cooperate” with HGF. In fact, HGF suggests that this matter could have been resolved through a simple conversation between the involved parties.

Upon due consideration of the parties' competing representations, the court DENIES the receiver's emergency motion for a show cause order. The parties should be able to reasonably cooperate with one another to work out their differences so that the personal property at HGF's premises can be removed. **This matter should not require court involvement.** However, if the parties cannot resolve this matter by next Thursday, April 18, 2019, they may contact the court and request a telephone conference with Magistrate Judge Thomas M. Parker.

IT IS SO ORDERED.

Dated: April 11, 2019



Thomas M. Parker
United States Magistrate Judge